

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 26, 2000

DIVISION ONE

B125589 Akazawa
v.
Jeffrey

Filed order denying petition for rehearing.

DIVISION THREE

B127096 People (Not for Publication)
v.
McGee

McGee's conviction of petty theft is reversed. The true finding that McGee suffered a juvenile "conviction" of robbery with a firearm is reversed and the cause is remanded for a new trial on the truth of such prior. In all other respects the judgment of conviction is affirmed.

Schneider, J. (Assigned)

We concur: Kitching, Acting P.J.
 Aldrich, J.

B132285 People (Not for Publication)
v.
Gomez

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B123953 People v. White (Not for Publication)
B129328 In re Albert White on Habeas Corpus

The clerk of the superior court is ordered upon issuance of the remittitur to correct the abstract of judgment to reflect imposition of a laboratory analysis fee of \$50 (Health & Saf. Code, 11372.5), and to forward a copy of the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. The petition for writ of habeas corpus is denied.

Aldrich, J.

I concur: Kitching, J.
I dissent: Croskey, Acting P.J. (Opinion)

B124018 People
v.
Renfro

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B131511 People (Not for Publication)
v.
Harris

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Berle, J. (Assigned)

DIVISION FOUR (Continued)

[illegible]

Upon issuance of the remittitur, the clerk of the superior court is directed to prepare a corrected abstract of judgment reflecting the imposition of the \$50 laboratory analysis fee, as set forth in this opinion, and to forward it to the Department of Corrections. The judgment is affirmed in all other respects.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B134710 Donna M. Taylor-Conley (Not for Publication)
v.
Los Angeles County Department of Children and Family Services

The judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.
Rubin, J. (Assigned)

B126168 Refrigeration Supplies
Distributors, Inc. (Not for Publication)
v.
Kindel & Anderson, L.L.P., et al.

The judgment of dismissal by the trial court, after the sustaining of demurrer to the first amended complaint without leave to amend, is affirmed. Defendants to recover costs on appeal.

Berle, J. (Assigned)

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FIVE

[illegible]

The matter is remanded to the juvenile court to allow the court to exercise its discretion to determine whether the grand theft was a misdemeanor or felony. The wardship order is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B131861 People (Not for Publication)
v.
Jones

The matter is remanded to allow the trial court to impose and then stay the specific determinate sentence as to count 4. Further, the trial court is to select determinate terms as to the section 12022.5, subdivision (a)(1) enhancements for counts 2 and 3 and impose them. Upon issuance of the remittitur, the superior court clerk is directed to issue an amended abstract of judgment which correctly reflects the restitution fines imposed consistent with this opinion, the enhancements imposed pursuant to section 12022.5, subdivision (a)(1), and the disposition as to count 4, and forward it to the Department of Corrections. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B131181 People (Not for Publication)
v.
Wilson

The judgment is modified to impose penalty assessments of \$50 pursuant to Penal Code section 1464, and \$35 as required by Government Code section 76000. The clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which accurately sets forth the restitution fines imposed against defendant pursuant to Penal Code sections 1202.4, subdivision (b), and 1202.45, the laboratory analysis fee, and the penalty assessments imposed pursuant to Penal Code section 1464 and Government Code section 76000 as set forth above. The sentence is reversed insofar as an indeterminate term has been imposed. The cause is remanded to allow the trial court to retry the prior conviction in Nevada case No. C94146 and, based upon the evidence and findings, to sentence defendant accordingly. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

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The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

DIVISION SEVEN

B131757 People
 v.
 Milton

Filed order modifying opinion. (No change in the judgment)

B125182 Berman (Certified for Publication)
 v.
 Health Net et al.

The judgment denying appellants' petition to compel arbitration is affirmed.

Johnson, J.

I concur: Lillie, P.J.
I concur: Woods, J. (opinion)